For An Act To Be Entitled

AN ACT TO INCREASE ACADEMIC INSTRUCTION TIME IN PUBLIC SCHOOLS; TO LIMIT PHYSICAL ACTIVITY REQUIREMENTS FOR PUBLIC SCHOOL STUDENTS; AND FOR OTHER PURPOSES.

Subtitle

AN ACT TO INCREASE ACADEMIC INSTRUCTION TIME IN PUBLIC SCHOOLS AND TO LIMIT PHYSICAL ACTIVITY REQUIREMENTS FOR PUBLIC SCHOOL STUDENTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 6-16-132(b)(1), regarding physical education requirements for public school students, is amended to read as follows:

(b)(1)(A) Every kindergarten through grade eight (K-8) public educational institution shall require no less than a total of sixty (60) minutes of physical education training and instruction each calendar week of the school year for every student who is physically fit and able to participate.

(i) Except as provided in subdivision (b)(1)(A)(ii) of this section, for students in kindergarten through grade six (K-6):

(a) one (1) hour per week Sixty (60) minutes of physical education training and instruction each calendar week of the school year for every student who is physically fit and able to participate;
and

(b) Ninety (90) minutes of physical activity each calendar week of the school year, which may include without limitation daily recess, physical education instruction in addition to the requirement of subdivision (b)(1)(A)(i)(a) of this section, or intramural sports;

(ii) For students in grades five through eight (5-8) who attend a public school organized to teach grades five through eight (5-8), or any combination thereof, sixty (60) minutes of physical education training and instruction each calendar week of the school year or an equivalent amount of time in each school year, with no additional requirement for physical activity; and

(iii) For students in grades nine through twelve (9-12), one-half (1/2) unit of physical education as required for high school graduation, with no additional requirement for physical activity.

(B) Nothing in subdivision (b)(1)(A) of this section prohibits:

(i) A public school student's elective enrollment or voluntary participation in physical activity or physical education as a part of public school curriculum or extra-curricular activities; or

(ii) A school district's decision to require physical education instruction or physical activity in excess of the amounts identified in subdivision (b)(1) of this section.

SECTION 2. Arkansas Code § 6-16-132, concerning the physical education curriculum requirement for public schools, is amended to add an additional subsection to read as follows:

(g) The State Board of Education shall submit to the House Interim Committee on Education and the Senate Interim Committee on Education for the committees' review any proposed rules regarding physical education or physical activity standards for grades kindergarten through twelve (K-12) developed pursuant to this section that exceed the maximums identified in subdivision (b)(1) of this section.

SECTION 3. Arkansas Code § 20-7-135(f), concerning the nutrition and physical education standards for public school children, is amended to read as follows:
(f)(1) The Department of Education and the division shall report annually on progress in implementing nutrition and physical education standards to the chairs of the House Interim Committee on Public Health, Welfare, and Labor and the Senate Interim Committee on Public Health, Welfare, and Labor, the House Interim Committee on Education, and the Senate Interim Committee on Education.

(2) The State Board of Education shall submit to the House Interim Committee on Education and the Senate Interim Committee on Education for the committees’ review any proposed rules regarding physical education or physical activity standards for grades kindergarten through twelve (K-12) developed pursuant to this section.

/s/ Wells

APPROVED: 3/19/2007